IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7598 of 1997

Between:

1 Gottigundala Gopal Reddy S/o Balarami Reddy
Nellore District.
2 Yeddula prasad reddy S/o Anki Reddy
Viruvuru Village, Podalakuru Mandal,
Nellore District.
3 Padugupati Venkatadri Sarma S/o Subramanyam
Viruvuru Village, Podalakuru Mandal, Nellore
Nellore District.
4 Kolli Dilip Kumar Reddy S/o Madhusudhan Reddy
Viruvuru Village, Podalakuru Mandal,.
Nellore District
5 Gottigundla Balarami Reddy S/o Sudhakar Reddy
Viruvuru Village, Podalakuru Mandal,
Nellore District.
6 Karnati Narsimha Reddy S/o Penchala Reddy
Viruvuru Village, Podalakuru Mandal,
Nellore District
7 Susarla Rama Devi W/o Narsimhulu
Viruvuru Village, Podalakuru Mandal,
Nellore District.
8 Kolli madhusudhan Reddy S/o Venkatrami Reddy
Viruvuru Village, Podalakuru Mandal,
Nellore District.
9 Sugarla Narsimhulu S/o Penchulaiah
Viruvuru Village, Podalakuru Mandal,
Nellore District.

..... PETITIONER(S)

AND

1 The District Collector,
Nellore
2 Mandal Revenue Officer,
Podalakuru Mandal Nellore District.

3 Pusuparthi Ramakrishnaiah
Viruvuru Village, Podalakuru Mandal,
Nellore District.
4 Pasuparthi Ramachandraiah
Viruvuru Village, Podalakuru Mandal,
Nellore District.
5 Pasuparthi Pullaiah
Viruvuru Village, Podalakuru Mandal,
Nellore District.
6 Penubaka Krishna Reddy S/o Shesha Reddy
Viruvuru Village, Podalakuru Mandal
Nellore District.
7 Pandillapalli Penchala Reddy S/o Penchala Reddy
Viruvuru Village, Podalakuru Mandal,
Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ or direction declaring the action of the respondents in not taking any action on the representation filed by the villagers in February 1997 and newspaper reports dated 18 Feb 96 and 2/4/97 published in Eenadu daily (District Special) as illegal, arbitrary and consequently direct the respondents 1 and 2 to remove the encroachments made by respondents 3 to 7 and further direct the respondents 1 and 2 to prevent manufacture of bricks in the above Survey numbers.

Counsel for the Petitioners:MR.O.MANOHER REDDY

Counsel for the Respondent Nos.1 & 2: Government Pleader for Revenue

Counsel for the Respondent Nos.3 to 7: MR.M.P.CHANDRAMOULI

The Court made the following :

O R D E R:

Heard the counsel.

The writ petition is filed for an appropriate direction declaring the action of the respondents in not taking any action on the representation filed by the villagers in February, 1997 and news paper reports dated 18th February, 1996, and 2-4-1997 published in Enadu daily (District Special) as illegal, arbitrary and consequently direct the respondents No.1 and 2 to remove the encroachments made by respondents No.3 to 7 and further direct the respondents No.1 and 2 to prevent manufacture of bricks in the above Survey numbers and pass such suitable orders.

2 . The interim direction granted by this Court on 29-4-1997 was vacated in W.V.M.P.No.1941 of 1997. Several allegations in detail had been made in the affidavit filed in support of the writ petition. As can be seen from the nature of allegations, the dispute appears to be a private dispute between the petitioners and the unofficial respondents. No doubt it was also mentioned the District forum in C.D.No.193 of 1992 had passed an order on 9-2-1994. The other details relating to the publication in newspapers and making representations also had been narrated in detail in the affidavit filed in support of the writ petition. In the peculiar circumstances of the case, the petitioners are at liberty to make proper representation to the first respondent within a period of two months from the date of the receipt of the order and the 1st respondent to dispose of the said representation in accordance with law, within a period of three months thereafter.

3. The Writ Petition is disposed of accordingly. No order as to costs.

21st December, 2004.

Mrb

To

1 The District Collector,
Nellore
2 Mandal Revenue Officer,
Podalakuru Mandal Nellore District.2CCs to

3. Two CCs to G.P for Revenue, High Court Buildings,

Hyderabad(OUT)

3. Two CD copies